

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF GEORGIA  
ATLANTA DIVISION

CHRISTOPHER PAUL PEARSON	:	
and MARSHA ANNE PEARSON,	:	
Plaintiffs,	:	CASE NO.
	:	1:15-cv-03849-AT-WEJ
v.	:	
	:	
DR. WILLIAM WININGER, SR.,	:	
individually and as an officer	:	
of the King's Way Baptist	:	
Church, Inc., and the King's Way	:	
Christian School, JOE HAYMAN,	:	
and as an officer of the King's	:	
Way Baptist Church, Inc., DR. RAY	:	
CONWAY, SR., individually and as	:	
an officer of the King's Way	:	
Baptist Church, Inc., and as	:	
Administrator of the King's Way	:	
Christian School, THE KING'S WAY	:	
BAPTIST CHURCH, INC., and THE	:	
KING'S WAY CHRISTIAN SCHOOL,	:	
Defendants.	:	

DEFENDANT DR. WILLIAM WININGER, SR.'s INITIAL DISCLOSURES

(1) If the defendant is improperly identified, state defendant's correct identification and state whether defendant will accept service of an amended summons and complaint reflecting the information furnished in this disclosure response:

The Defendant Dr. William Wininger, Sr. ("Defendant"), is not improperly identified.

**(2) Provide the names of any parties whom defendant contends are necessary parties to this action, but who have not been named by plaintiff. If defendant contends that there is a question of misjoinder of parties, provide the reasons for defendant's contention:**

None.

**(3) Provide a detailed factual basis for the defense or defenses and any counterclaims or crossclaims asserted by defendant in the responsive pleading:**

The Defendant admits he hugged the Plaintiff Marsha Anne Pearson ("Plaintiff") multiple times during the years they worked at The King's Way Christian School, and he asserts that she did not complain about it. The incidents occurred in a classroom that anyone could enter at any time, including parents who were dropping their children off at school. The Defendant denies that he ever exposed his private parts to the Plaintiff, that he ever made offensive contact with the Plaintiff's person, and that he ever threatened the Plaintiff if she did not allow him to engage in allegedly wrongful conduct with her. The Defendant also denies he is potentially liable for any conduct alleged in the Plaintiff's Complaint that occurred after he no longer worked for any of the other defendants herein.

(4) Describe in detail all statutes, codes, regulations, legal principles, standards and customs or usages, and illustrative case law which defendant contends are applicable to this action.

Common law assault; common law intentional infliction of emotional distress; common law loss of consortium; statutory punitive damages; Fed.R.Civ.P. 54(d) and L.R. 54, N.D.Ga.

(5) Provide the name and, if known, the address and telephone number of each individual likely to have discoverable information that you may use to support your claims or defenses, unless solely for impeachment, identifying the subjects of the information. (Attach witness list to Initial Disclosures as Attachment A.)

See Attachment "A" for the witness list. The Defendant reserves the right to amend this response at a later time if discovery discloses additional possible witnesses.

(6) Provide the name of any person who may be used at trial to present evidence under Rules 702, 703, or 705 of the Federal Rules of Evidence. For all experts described in Fed.R.Civ.P. 26(a)(2)(B), provide a separate written report satisfying the provisions of that rule. (Attach expert witness list and written reports to Initial Disclosures as Attachment B.)

At this time, the Defendant has not identified any possible experts. The Defendant reserves the right to amend this response at a later time if discovery discloses a need for an expert.

**(7) Provide a copy of, or description by category and location of, all documents, data compilations or other electronically stored information, and tangible things in your possession, custody, or control that you may use to support your claims or defenses unless solely for impeachment, identifying the subjects of the information. (Attach document list and descriptions to Initial Disclosures as Attachment C.)**

At this time, the Defendant has not identified any such documents, data compilations or other electronically stored information, nor tangible things in his possession, custody, or control that he may use to support his claims and/or defenses. The Defendant reserves the right to amend this response at a later time if discovery discloses such information.

**(8) In the space provided below, provide a computation of any category of damages claimed by you. In addition, include a copy of, or describe by category and location of, the documents or other evidentiary material, not privileged or protected from disclosure on which such computation is based, including materials bearing on the nature and extent of injuries suffered,**

**making such documents or evidentiary material available for inspection and copying under Fed.R.Civ.P. 34. (Attach any copies and descriptions to Initial Disclosures as Attachment D.)**

At this time, the Defendant is not claiming any damages because the Defendant has not filed any counterclaim(s) and/or crossclaim(s). The Defendant reserves the right to amend this response at a later time if the Defendant does file any counterclaim(s) and/or crossclaim(s).

**(9) If defendant contends that some other person or legal entity is, in whole or in part, liable to the plaintiff or defendant in this matter, state the full name, address, and telephone number of such person or entity and describe in detail the basis of such liability.**

At this time, the Defendant lacks sufficient information to know with any degree of certainty whether any of the other named defendants may be liable to either of the Plaintiffs, nor whether any other person or legal entity may be liable to either of the Plaintiffs.

**(10) Attach for inspection and copying as under Fed.R.Civ.P. 34 any insurance agreement under which any person carrying on an insurance business may be liable to satisfy part or all of a judgment which may be entered in this action or to indemnify or**

**reimburse for payments to satisfy the judgment. (Attach copy of insurance agreement to Initial Disclosures as Attachment E.)**

At this time, the Defendant is not aware of any applicable insurance agreement. The Defendant reserves the right to amend this response at a later time.

Respectfully Submitted,

THE PILGRIM LAW GROUP, LLC

/s/ Daniel E. Rice

J. Mac C. Pilgrim, Bar No. 141955

Daniel E. Rice, Bar No. 183746

Attorneys for Defendant Wininger

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ATTACHMENT "A"

WITNESS LIST

- (1) Mr. Christopher Paul Pearson & Ms. Marsha Anne Pearson  
(Plaintiffs)  
  
c/o Hartley, Rowe & Fowler, PC  
  
P.O. Box 489  
  
Douglasville, Georgia 30133  
  
(770) 920-2000
- (2) Mr. Joe Hayman (co-defendant)  
  
c/o Hollberg & Weaver, LLP  
  
2921 Piedmont Road, NE, Ste C  
  
Atlanta, Georgia 30305  
  
(404) 760-1116
- (3) Dr. Ray Conway (co-defendant)  
  
c/o Hollberg & Weaver, LLP  
  
2921 Piedmont Road, NE, Ste C  
  
Atlanta, Georgia 30305
- (4) Ms. Stephanie Hall (daughter of Defendant Wininger, and a  
teacher at the Defendant School)
- (5) Ms. Pat Jackson (a person who Plaintiff Marsha Pearson  
allegedly discussed the allegations with)

- (6) Unknown members of the Defendant Church's Board of Deacons (a meeting was allegedly held to discuss the allegations)



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Administrator of the King's Way	:	
Christian School, THE KING'S WAY	:	
BAPTIST CHURCH, INC., and THE	:	
KING'S WAY CHRISTIAN SCHOOL,	:	
Defendants.	:	

CERTIFICATE OF SERVICE

I hereby certify that on November 11, 2015, I electronically filed the DEFENDANT DR. WILLIAM WININGER, SR.'s INITIAL DISCLOSURES with the Clerk of Court using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

Joseph H. Fowler

Erica T. Taylor

George M. Weaver

Eric P. Wilborn

Respectfully Submitted,

THE PILGRIM LAW GROUP, LLC

/s/ J. Mac C. Pilgrim

J. Mac C. Pilgrim, Bar No. 141955

Daniel E. Rice, Bar No. 183746

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